

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PEIERLS FOUNDATION, INC. and
E. JEFFREY PEIERLS, individually
and as trustee,

Plaintiffs,

v.

Civil Action No. 03 CV 12213 EFH

JAMES E. RURKA,
MARK SKALETISKY,
PAUL J. MELLETT,
RICHARD ALDRICH,
KATE BINGHAM,
CHARLES W. NEWHALL III
DAVID SCHNELL, and
JOHN P. WALKER,

Defendants.

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(ii), the undersigned parties, by their attorneys, hereby stipulate to the dismissal of all claims asserted in the above-captioned proceeding with prejudice, each party to bear its own costs and attorney fees. The parties waive all rights of appeal.

PEIERLS FOUNDATION, INC.; E.
JEFFREY PEIERLS INDIVIDUALLY AND
AS TRUSTEE FOR TRUST UNDER DEED
ETHEL F. PEIERLS FOR BRIAN E.
PEIERLS; TRUST UNDER DEED ETHEL
F. PEIERLS FOR E. JEFFREY PEIERLS;
TRUST UNDER DEED EDGAR S. PEIERLS
FOR ETHEL F. PEIERLS ET AL., TRUST

UNDER DEED JENNIE N. PEIERLS FOR
BRIAN E. PEIERLS; TRUST UNDER DEED
JENNIE N. PEIERLS FOR E. JEFFREY
PEIERLS; TRUST UNDER WILL JENNIE
N. PEIERLS FOR BRIAN E. PEIERLS;
AND TRUST UNDER WILL JENNIE N.
PEIERLS FOR E. JEFFREY PEIERLS

By their attorneys,

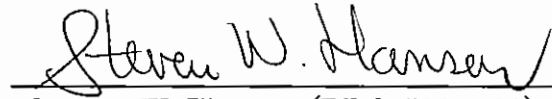
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David E. Marder (BBO #552485)
Robins, Kaplan, Miller & Ciresi LLP,
111 Huntington Avenue, Suite 1300
Boston, MA. 02199
617 267-2300

Peter G. Koclanes
Netzorg McKeever Koclanes
& Bernhardt LLC
1670 Broadway, Suite 500
Denver, CO 80202
(303) 864-1000

RICHARD ALDRICH; KATE BINGHAM,
CHARLES W. NEWHALL III;
JAMES E. RURKA; DAVID SCHNELL; and
JOHN P. WALKER

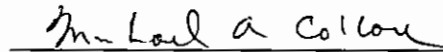
By their attorneys,



— Steven W. Hansen (BBO #220820)
Bingham McCutchen LLP
150 Federal Street
Boston, MA 02110
(617) 951-8000

MARK SKALETSKY
PAUL J. MELLETT

By their attorneys,



— Michael Collora (BBO#092940)
Dwyer & Collora
600 Atlantic Avenue
Boston, MA 02110
(617) 371-1000

Dated: November 30, 2005